

In Re Application of: Yukio SAWAJIRI et al
Appln. No. 10/032,326
Date Filed: December 31, 2001
For: STRIKER OF VEHICLE DOOR...

Customer Window, Mail Stop AF
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1803
Arlington, Virginia 22202

Sir:



RECEIVED
OCT 07 2003
GROUP 3600

Art Unit: 3677
Examiner: Thomas Y. HO
Washington, D.C.
Atty.'s Docket: SAWAJIRI=2
Date: October 3, 2003
Confirmation No. 4583

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3677

Transmitted herewith is a [X] RESPONSE in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] Applicant claims small entity status. See 37 C.F.R. §1.27.

[XX] No fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	-
INDEP.	*	MINUS	*** 3	-
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00
[] Second - \$ 205.00
[] Third - \$ 465.00
[] Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00
[] Second - \$ 410.00
[] Third - \$ 930.00
[] Fourth - \$ 1450.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By:
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RESPONSE UNDER 37 CFR 1.102
EXPEDITED PROCEDURE
EXAMINING GROUP 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SAWAJIRI=2

In re Application of:) Art Unit: 3677
SAWAJIRI et al) Examiner: Thomas Y. HO
Appln. No.: 10/032,326) Washington, D.C.
Filed: December 31, 2001) Confirmation No. 4583
For: STRIKER OF VEHICLE DOOR) October 3, 2003
LATCH DEVICE AND ...)

RESPONSE TO ADVISORY ACTION

Customer Window, Mail Stop AF
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

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GROUP 3600

Sir:

Applicant strongly disagrees with the Examiner's
indication in his September 23, 2003 Advisory Action that:

"Mark . . . shows both a reinforced
portion (thick limbs) as well as latch
engaging portions (lower thinner ends of
legs in Fig. 1)."

In fact, Mark clearly states on page 2, last full
paragraph, that:

"The unitary loop formation also includes a
median latch bolt engaging portion 22 in the
form of a straight cross-bar lying in a
plane parallel to but spaced from plate 12
and merging at each end with a respective
limb by a generally right angled bend."

This passage conclusively refutes the Examiner's contention that the lower thinner ends of the legs in Fig. 1 of Mark are equivalent to the latch engaging portions claimed by Applicant located on the legs of its striker. The Mark quote is clearly consistent with Applicant's September 3, 2003 Response, which Applicant incorporates herein by reference.

Applicant respectfully requests that the Examiner's rejections be withdrawn, as it is without merit on the basis of the above passage from Mark and Applicant's September 3, 2003 Response.

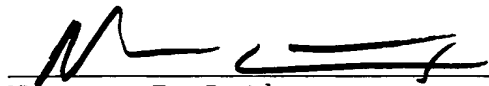
If the Examiner wishes to maintain his rejection, Applicant requests a telephone conference with the Examiner and his supervisor, J. J. Swann, which the undersigned has orally requested in a telephone message on October 3, 2003.

Applicants respectfully request favorable reconsideration and allowance.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

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